

Attorney's Docket No. BSA 04-11

---

**COMBINED DECLARATION AND POWER OF ATTORNEY**

---

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

- ☒ original
- ☐ design
- ☐ supplemental
- ☐ national stage of PCT
- ☐ divisional
- ☐ continuation
- ☒ continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

"MUTANT FATTY ACID DESATURASE  
AND METHODS FOR DIRECTED MUTAGENESIS"

**SPECIFICATION IDENTIFICATION**

the specification of which:

- (a) ☒ is attached hereto
- (b) ☐ was filed on \_\_\_\_\_ as Serial No. 0 /  
or ☐ Express Mail No. \_\_\_\_\_, as Serial No. not  
yet known \_\_\_\_\_.

(c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56 and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

**PRIORITY CLAIM (35 U.S.C. § 119)**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

- (d) ☒ no such applications have been filed.  
(e) ☐ such applications have been filed as follows.

**A. PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119**

Country (or indicate if PCT)	Application No.	Date of Filing (day, month, year)	Priority Claimed Under 37 USC 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

---



---



---

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name and Registration No.

Margaret C. Bogosian  
Registration No. 25,324

Lori-Anne Neiger  
Registration No. 44,949

Christine L. Brakel, Ph.D  
Registration No. 45,772

SEND CORRESPONDENCE TO

Margaret C. Bogosian  
Patent Counsel  
Brookhaven National Laboratory  
Bldg. 475D  
P.O. Box 5000  
Upton, NY 11973-5000

DIRECT TELEPHONE CALLS TO:

Margaret C. Bogosian  
(631) 344-7338

### DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURE (S)

Full name of sole or first inventor

John Shanklin  
(Given Name) (Middle Initial or Name) Family (or last name)

Inventor's signature 

Date April 1, 2004 Country of Citizenship U.S.A.

Residence Shoreham, New York

Post Office Address 4 Duchess Street

Shoreham, New York 11786

Full name of second inventor

Edward J. Whittle  
(Given Name) (Middle Initial or Name) Family (or last name)

Inventor's signature 

Date 4/1/04 Country of Citizenship U.S.A.

Residence Greenport, New York 11944

Post Office Address 164 6<sup>th</sup> Street

Greenport, New York 11944

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH  
FORM A PART OF THIS DECLARATION

- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added

\* \* \*

- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added
- ☐ Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time (37 CFR 1.47).

\* \* \*

- ☒ Added pages to combined declaration and power of attorney for divisional, continuation or continuation-in-part (C-I-P) application.

☒ Number of pages added 1

\* \* \*

- ☐ Authorization of attorney(s) to accept and follow instructions from representative.

\* \* \*

(If no further pages form a part of this Declaration, then end this Declaration with this page and check the following item:)

- ☐ This declaration ends with this page.

ADDED PAGE TO COMBINED DECLARATION AND POWER OF  
ATTORNEY FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION

**CLAIM FOR BENEFIT OF EARLIER U.S. APPLICATION(S) UNDER  
35 U.S.C. 120**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information of which I am aware that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the filing date of this application.

PRIOR U.S. APPLICATIONS FOR BENEFIT UNDER 35 USC 120:				
U.S. APPLICATIONS		STATUS		
U.S. Applications	U.S. Filing Date	Patented	Pending	Abandoned
09/328,550	6/9/99			X
09/233,856	1/19/99			X
10/017,145	12/14/01		X	